

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
C.A. NO. 5:13-cv-00667-H**

TONYA E. SUMMERS,

Plaintiff,

vs.

**FIRST FINANCIAL ASSET MANAGEMENT,
INC.,**

Defendant.

DISCOVERY PLAN

1. Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on November 6, 2013 by telephone and was attended by: the plaintiff *pro se* and Caren D. Enloe, counsel for Defendant.

2. **Pre-Discovery Disclosures.** The parties will exchange the information required by Fed R. Civ. P 26(a) (1) by November 27, 2013.

3. **Discovery Plan.** The parties jointly propose to the court the following discovery plan:

a. Discovery will be needed on the following subjects: relevant nonprivileged information, testimony and documents going toward the allegations advanced by the Plaintiff and the denials and defenses of the Defendant.

b. The parties have discussed how to handle discovery of electronically stored information and continue to negotiate the format of that discovery and of any protective order needed, and will have an agreement in place with respect to such prior to

the date by which responses to discovery requesting production of electronically stored information is due.

c. The parties have discussed how to handle production of privileged or confidential information and continue to negotiate the format of any protective order needed, and will have an agreement in place with respect to such prior to the date by which responses to discovery requesting production of privileged or confidential information is due.

d. All discovery commenced in time to be completed by May 15, 2014. Maximum of 25 interrogatories and 25 requests for admissions by each party to any other party. Responses are due 30 days after service unless otherwise agreed to by the parties.

e. Maximum of 4 depositions by Plaintiff and 4 by Defendant. Each deposition limited to maximum of 7 hours unless extended by agreement of parties or by order of this court. Depositions of corporate representatives deposed pursuant to F.R.C.P. Rule 30(b)(6) shall be taken in the city and state of the deponent corporation's principal place of business or alternatively, in the city and state where the corporate representative is employed.

f. Reports from retained experts under Rule 26(a)(2) due from Plaintiff by December 1, 2013, and from Defendant by January 2, 2014.

g. The parties have discussed conducting mediation in or after January, 2014 and will agree upon a mediator and exact date for mediation closer to that time.

4. Other items.

a. The parties do not request a conference with the court before the entry of the scheduling order.

- b. The parties request a pretrial conference in April 2014.
- c. Plaintiff should be allowed until December 5, 2013 to join additional parties and to amend the pleadings.
- d. Defendant should be allowed until January 3, 2014 to join additional parties and to amend the pleadings.
- e. All potentially dispositive motions should be filed by June 14, 2014.
- f. The parties have discussed settlement of this matter, and at this time, the prospect of settlement is unknown.
- g. At least 30 days before the final pretrial conference, the parties shall exchange final list of witnesses and exhibits under Rule 26(a)(3).
- h. Fifteen days before the pretrial conference, any party may designate and serve any objections to such disclosures of witnesses and exhibits.
- i. The parties have discussed special procedures for managing the case, including referral to a Magistrate Judge, and do not consent to the referral of the case to a Magistrate Judge.
- j. The case should be ready for trial by August 1, 2014 and at this time is expected to take approximately 2 days.

Dated: November 6, 2013

/s/ Tonya E. Summers
Tonya E. Summers
527 Waterford Lake Drive
Cary, NC 27519
Telephone: (347)249-1251
tsummers272@ymail.com

/s/ Caren D. Enloe
Caren D. Enloe
Morris, Manning & Martin, LLP
North Carolina State Bar No. 17394
P.O. Box 12768
Research Triangle Park, NC 27709
(919) 806-2969
cenloe@mmmlaw.com

Attorneys for Defendant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she served the foregoing document by depositing a copy thereof in the United States mail, first class postage prepaid, addressed as follows:

Tonya E. Summers
527 Waterford Lake Drive
Cary NC 27519

This the 6th day of November, 2013.

/s/ Caren D. Enloe

Caren D. Enloe
Morris, Manning & Martin, LLP
NC State Bar No. 17394
PO Box 12768
Research Triangle Park, NC 27709
Telephone: (919)806-2969
Facsimile: (919)806-2057
cenloe@mmmlaw.com
*Counsel for the defendant First Financial Asset
Management, Inc.*